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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,285	12/28/2000	Gerhard Siemens	00 P 9129 US	9155

7590

05/20/2004

Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

HAN, CLEMENCE S

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 05/20/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,285

Applicant(s)

SIEMENS ET AL.

Examiner

Clemence Han

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 4, is attached to the instant Office action.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 6–8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In regarding to claim 6, the specification does not teach “at least one of the plurality of mobile units is a hands free unit” and “converting the audio message into sound by the hands free unit is automatic”.

In regarding to claim 7, the specification does not teach “originating broadcast origination signal at an additional mobile unit”.

In regarding to claim 8, the specification does not teach "turning on only speakers of the plurality of mobile units without turning on microphones of the plurality of mobile units".

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 7 recites the limitation "the base part" in the line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 1-5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertocci (US Patent 5,953,656) in view of Fukuda (US Patent 5,995,844).

In regarding to claim 1, Bertocci teaches a call screening method suitable for a cordless telephone system having a base station operable in a standard mode

comprising: signaling that an incoming call by a caller has been received by the base station 605; substantially simultaneously, recording an incoming message, and sending the incoming message to a mobile unit (Column 1 Line 65 – Column 2 Line 14); determining if one of the plurality of mobile units, as a callee, desires to initiate a conversation with the caller based upon the incoming message (Column 5 Line 29–37); setting the base station to a standard mode when it is determined that one of the plurality of mobile units desires to converse with the caller (Column 5 Line 51–57); and initiating the conversation between the callee and the caller 611.

Bertocci, however, does not teach a base station operable in a broadcast mode communicatively coupled to a plurality of mobile units comprising: setting the base station in the broadcast mode and broadcasting the incoming message to a plurality of mobile units. Fukuda teaches a base station operable in a broadcast mode communicatively coupled to a plurality of mobile units (Figure 4)

comprising: setting the base station in the broadcast mode and broadcasting the incoming message to a plurality of mobile units (Figure 1, Column 2 Line 16–51).

It would have been obvious to one skilled in the art to modify Bertocci to use broadcast mode as taught by Fukuda in order to use the bandwidth more efficiently.

In regarding to claim 2, Fukuda teaches broadcasting the incoming message from the base station during a single time slot of a time division; receiving the incoming message at the plurality of mobile units; (Column 2 Line 16–51) and converting the incoming message into sound by the plurality of mobile units (Column 7 Line 3–8).

In regarding to claim 3, Fukuda teaches placing the plurality of mobile units in a receiving mode (Column 7 Line 31–35).

In regarding to claim 4, Fukuda teaches the placing the plurality of mobile units in a receiving mode comprising synchronizing the plurality of mobile units to the single time slot (Column 2 Line 16–51).

In regarding to claim 5, Fukuda teaches setting the base station to the broadcast mode comprises designating the single time slot (Column 2 Line 16–51).

In regarding to claim 9, Fukuda teaches setting the base station to the standard mode comprising synchronizing those plurality of mobile units not desiring to converse with the caller to another time slot that is different than the single time slot (Figure 1).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to the cordless digital system in general.

U.S. Patent 6,256,354 to Yoshida et al.

U.S. Patent 5,854,983 to Goto et al.

U.S. Patent 6,571,103 to Novakov

U.S. Patent 6,148,213 to Bertocci et al.

U.S. Patent 4,881,259 to Scordato

U.S. Patent 5,485,463 to Godoroja

U.S. Patent 6,466,801 to Leyendecker

U.S. Patent 6,091,758 to Ciccone et al.

U.S. Patent 5,349,632 to Nagashima


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clemence Han whose telephone number is (703) 305-0372. The examiner can normally be reached on Monday-Friday 8 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (703) 308-6602. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C. H.
Clemence Han
Examiner
Art Unit 2665


HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600